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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/516,376	11/30/2004	Gunter Gegner	PHDE020139US	1408
38107 7590 02/28/2008 PHILIPS INTELLECTUAL PROPERTY & STANDARDS 595 MINER ROAD CLEVELAND, OH 44143			EXAMINER HARRISON, CHANTE E	
			ART UNIT 2628	PAPER NUMBER
			MAIL DATE 02/28/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/516,376

Applicant(s)

GEGNER ET AL.

Examiner

Chante Harrison

Art Unit

2628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-10, 12, 14 and 15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-10, 12, 14 and 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendment, filed on 1/4/08.
2. Claims 2-10, 12, 13 and 15 are pending in the case. Claims 3-5, 8, 10 and 14 are independent claims. Claims 2-10, 12 and 14 have been amended. Claim 15 is newly added.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 3 is rejected under 35 U.S.C. 102(b) as being anticipated by David McComb et al, US 6,111,573, 2000.

As per independent claim 3, McComb discloses optimizing the presentation on a display screen of objects of a user interface (Fig. 8) which can be freely positioned and scaled (col. 7, ll. 10-15; col. 9, ll. 61-65) by means of control elements by means of a predetermined calculation rule (i.e. layout rule) in such a manner that the objects can be automatically changed, in dependence on the object contents (col. 7, ll. 10-21; col. 10, ll. 12-14), selected preferred settings (col. 9, ll. 15-24) and available display resource on the display screen (col. 9, ll. 62-66), between a minimum readable size and a selected

maximum size in such a manner that optimum filling of the available display screen surface is achieved (col. 10, ll. 13-20, 35-40), while suppressing less important details of the object contents (col. 10, ll. 12-14, 20-24) and while changing the mode of display of the object contents and/or the object (col. 5, ll. 35-40; col. 9, ll. 25-40) as well as while avoiding mutual overlapping of the objects, wherein the objects are ordered in a hierarchy (col. 10, ll. 17-24), an ordering of the hierarchy of combined objects can be changed (i.e. removing low priority graphic components) (col. 10, ll. 20-25).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2, 4-10, 12 and 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over David McComb et al, US 6,111,573, 2000, and further in view of R. Hochstedler, US 6,707,476, 2004.

As per dependent claim 2, McComb discloses wherein the objects are arranged within a fixed hierarchy in order to enable automatic suppression of objects, starting with the lowest hierarchical level, in case the display resource on the display screen is insufficient (col. 10, ll. 17-24).

As per independent claim 4, McComb discloses optimizing the presentation on a display screen of objects of a user interface (Fig. 8) which can be freely positioned and scaled (col. 7, ll. 10-15; col. 9, ll. 61-65) by means of control elements by means of a predetermined calculation rule (i.e. layout rule) in such a manner that the objects can be automatically changed, in dependence on the object contents (col. 7, ll. 10-21; col. 10, ll. 12-14), selected preferred settings (col. 9, ll. 15-24) and available display resource on the display screen (col. 9, ll. 62-66), between a minimum readable size and a selected maximum size in such a manner that optimum filling of the available display screen surface is achieved (col. 10, ll. 13-20, 35-40), while suppressing less important details of the object contents (col. 10, ll. 12-14, 20-24) and while changing the mode of display of the object contents and/or the object (col. 5, ll. 35-40; col. 9, ll. 25-40) as well as while avoiding mutual overlapping of the objects.

McComb fails to specifically disclose a plurality of objects can be combined so as to form a group by means of the control elements, which Hochstedler discloses (i.e. use manipulation of control elements changes the display layout) (col. 1, ll. 10-15; col. 3, ll. 55-57; col. 4, ll. 45-50).

It would have been obvious to one of ordinary skill in the art at the time of invention to include Hochstedler's plurality of objects combined so as to form a group by means of the control elements with the method of McComb because McComb discloses representing objects as a group (Fig. 5) based on user control of the dynamic layout.

One of ordinary skill in the art would have been motivated to include Hochstedler's plurality of objects combined so as to form a group by means of the control elements with the method of McComb for the benefit of increased user control of editing the display layout.

As per independent claim 5, McComb discloses a method as similarly claimed in claim 4. The rationale as applied in the rejection of claim 4 applies herein.

McComb fails to specifically disclose behavior of the objects relative to one another and the interaction of various objects with one another in relation to the display resource are taken into account, which Hochstedler discloses (col. 5, ll. 20-45).

It would have been obvious to one of ordinary skill in the art at the time of invention to include Hochstedler's disclosure of taking into account the behavior of the objects relative to one another and the interaction of various objects with one another in relation to the display resource with the method of McComb because McComb teaches using layout rules to determine an adjustment of additional contents of the dynamic display once the self sizing components have been altered (col. 10, ll. 5-40).

One of ordinary skill in the art would have been motivated to include Hochstedler's disclosure of taking into account the behavior of the objects relative to one another and the interaction of various objects with one another in relation to the display resource with the method of McComb for the benefit of improving the response of the dynamic display to changes in the capabilities or environment of the system.

As per dependent claim 6, McComb discloses objects can be automatically substituted among themselves (col. 10, ll. 24-30).

As per dependent claims 7 and 12, McComb discloses wherein the objects can temporarily be displayed in enlarged form in dependence on a given trigger signal which is produced by a control element which is defined by object selection/object marking (col. 5, ll. 2-10).

As per independent claim 8, McComb discloses a method as similarly claimed in claim 4. The rationale as applied in the rejection of claim 4 applies herein. McComb discloses wherein the contents of an object contain commands and various options for processing/manipulation (fig. 5; col. 10, ll. 25-35).

McComb fails to disclose wherein the contents of an object contain static information as well as dynamically variable information, which Hochstedler discloses (col. 1, ll. 15-35).

It would have been obvious for one of ordinary skill in the art at the time of invention to include Hochstedler's disclosure of contents of an object contain static information as well as dynamically variable information with the method of McComb because McComb discloses the display processing data from application programs for presenting information in windows using text and graphics (col. 2, ll. 25-35), where text and graphics are exemplary of static and dynamic information.

One of ordinary in the art would have been motivated to include Hochstedler's disclosure of contents of an object contain static information as well as dynamically variable information with the method of McComb for the benefit of displaying information relative to various types of applications.

As per dependent claim 9, McComb discloses wherein respective rectangular surfaces are provided for the display of the objects on the display screen (col. 10, ll. 55-61).

As per independent claim 10, McComb discloses a method as similarly claimed in claim 4. The rationale as applied in the rejection of claim 4 applies herein.

McComb fails to disclose optimizing a presentation on a display screen of static and dynamic information of objects containing medical information, notably information for patient monitoring, which Hochstedler discloses (col. 1, ll. 15-35).

It would have been obvious to one of ordinary skill in the art to include Hochstedler's optimizing a presentation on a display screen of static and dynamic information of objects containing medical information, notably information for patient

monitoring with the method of McComb because discloses the display processing data from application programs for presenting information in windows using text and graphics (col. 2, ll. 25-35), where text and graphics are exemplary of static and dynamic information

One of ordinary in the art would have been motivated to include Hochstedler's optimizing a presentation on a display screen of static and dynamic information of objects containing medical information, notably information for patient monitoring with the method of McComb for the benefit of displaying information relative to various types of applications.

As per independent claim 14, McComb discloses a device (Fig. 1; col. 4, ll. 22-26) for implementing the method of claim 4. Therefore the rationale as applied in the rejection of claim 4 applies herein.

McComb fails to disclose an input means (i.e. controls) which co-operates with medical measuring devices which form the statistic and dynamic information of the objects, which Hochstedler discloses (col. 1, ll. 15-35; col. 3, ll. 55-57).

It would have been obvious to one of ordinary skill in the art at the time of invention to include Hochstedler's input means (i.e. controls) which co-operates with medical measuring devices which form the statistic and dynamic information of the objects with the method of McComb because McComb discloses interacting with applications via controls in a GUI (col. 2, ll. 30-37, 60-67), where the applications interact with an operating system of a computing device (col. 3, ll. 1-6).

One of ordinary in the art would have been motivated to include Hochstedler's input means (i.e. controls) which co-operates with medical measuring devices which form the statistic and dynamic information of the objects with the method of McComb for the benefit of controlling the display of application specific information received from a device.

As per dependent claim 15, the rationale as applied in the rejection of claim 3 applies herein.

Response to Arguments

3. Applicant's arguments with respect to claims 2-10, 12, and 14-15 have been considered but are moot in view of the new ground(s) of rejection.

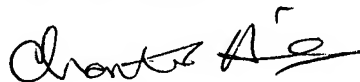
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chante Harrison whose telephone number is 571-272-7659. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on 571-272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Chante Harrison
Examiner
Art Unit 2628



Ch
February 22, 2008